

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NORTH DAKOTA**

United States of America,	)	
	)	
Plaintiff,	)	<b>ORDER GRANTING MOTION FOR RELEASE</b>
	)	
vs.	)	
	)	
Richard Mike Espinoza,	)	Case No. 1:24-cr-082
	)	
Defendant.	)	

---

Defendant is in Marshals Service custody. He has been housed by the Marshals Service at the Mercer County Jail in Stanton, North Dakota. He appeared before the Court at 9:00 AM on November 21, 2024, for a change of plea hearing.

Prior to the change of plea hearing, Defendant filed a Third Motion to Reconsider Order of Detention. (Doc. No. 39). He requests to be released on conditions to the Buffalo Bull Lodge in Halliday, North Dakota, following his change of plea hearing. He advises that Buffalo Bull Lodge staff can transport him on November 21, 2024, immediately following his change of plea hearing in Bismarck or upon is return to the Mercer County Jail.

The court **GRANTS** Defendant's motion (Doc. No. 39). Following his change of plea hearing on November 21, 2024, once he has been returned to the Mercer County Jail, Defendant shall be released from the Mercer County Jail to a representative of the Buffalo Bull Lodge or other person approved by the Pretrial Services Office for transport to the Buffalo Bull Lodge. Defendant's release shall be subject to the following conditions.

- (1) Defendant shall not violate federal, state, tribal, or local law while on release.
- (2) Defendant shall appear in court as required and surrender for any sentence imposed.

- (3) Defendant shall refrain from the use of alcohol; any use or possession of a narcotic drug and other controlled substances defined in 21 U.S.C. § 802 or state statute, unless prescribed by a licensed medical practitioner, any use of medical marijuana, and any use of inhalants. Defendant shall submit to drug/alcohol screening at the direction of the Pretrial Services Officer to verify compliance. Failure or refusal to submit to testing or tampering with the collection process or specimen may be considered the same as a positive test.
- (4) Defendant shall report to the Pretrial Services Officer at such times and in such manner as designated by the Officer.
- (5) Defendant shall not possess a firearm, destructive device, or other dangerous weapon.
- (6) Defendant shall not knowingly or intentionally have any direct or indirect contact the victim, except that counsel for Defendant, or counsel's agent or authorized representative, may have such contact with such person as is necessary in the furtherance of Defendant's legal defense.
- (7) Defendant shall reside at the Buffalo Bull Lodge, fully participate in its programming, and comply with all of its rules and regulations.
- (8) Defendant shall not change his residence without the prior approval of the Pretrial Services Officer.
- (9) Defendant must sign all release forms to allow the Pretrial Services Officer to obtain information from the sober living home OR to communicate with the sober living home about the Defendant's progress there.

Any overnight passes from Buffalo Bull Lodge must be approved by the Pretrial

Services Officer.

While residing at the Buffalo Bull Lodge, Defendant must seek and maintain employment. Employment must be approved by the Pretrial Services Officer.

If for any reason Defendant is terminated from the Buffalo Bull Lodge, the Defendant must immediately surrender to the custody of the United States Marshal.

(10) Defendant shall submit his person, residence, vehicle, and/or possessions to a search conducted by a Pretrial Services Officer at the request of the Pretrial Services Officer. Failure to submit to a search may be grounds for revocation of his release. Defendant shall notify any other residents that the premises may be subject to search pursuant to this condition.

(11) Defendant shall not obtain a passport and other foreign travel document(s).

(12) Defendant must report as soon as possible, to the Pretrial Service Office or his supervising Pretrial Service Officer, every contact with law enforcement personnel, including arrests, questioning, or traffic stops.

(13) With 24 hours of his arrival at Buffalo Bull Lodge, Defendant shall contact Pretrial Services Officer Stephanie Cherney at (701) 530-2396.

If Defendant cannot be transported to Buffalo Bull Lodge as anticipated on November 21, 2024, he shall remain in custody pending further order.

**IT IS SO ORDERED.**

Dated this 21st day of November, 2024.

/s/ Clare R. Hochhalter  
Clare R. Hochhalter, Magistrate Judge  
United States District Court